IN RE: PETITION FOR ADMINISTRATIVE MONING VARIANCE of C/L Ridervale Road 1209 Ridervale Road 8th Election District

Petitioners

Michael A. Galasso, et ux

N/S Robinhood Circle, 50 ft. E * ZONING COMMISSIONER

* OF BALTIMORE COUNTY * Case No. 94-72-A 3rd Councilmanic District

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

This matter comes before the Zoning Commissioner as an administrative variance filed by Michael A. Galasso and Cathy B. Galasso, his wife, for that property known as 1209 Ridervale Road in the Riderwood subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1802.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 14 ft. rear yard setback in lieu of 20 ft., for a kitchen addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25 day of September, 1993 that the Petition for a Zoning Variance from Section 1802.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 14 ft. rear yard setback in lieu of 20 ft., for a kitchen addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ZONING COMMISSIONER FOR BALTIMORE COUNTY Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

September 22, 1993

Mr. and Mrs. Michael A. Galasso 1209 Ridervale Road Towson, Maryland 21204

> RE: Petition for Administrative Variance Case No. 94-72-A Property: 1209 Ridervale Road

Dear Mr. and Mrs. Galasso:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in 'accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

LES:mmn

Petition for Administrative Variance for the property located at 1909 Redeciale For The more than the

which is presently zoned

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This Petition shall be filled with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1802.3A (Sec. III-A Residence Zone C.4 1953) to permit a 14-foot rear yard setback in lieu of 20 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

See attached sheet

Property is to be posted and advertised as prescribed by Zoning Regulations. It or we, agree to pay expenses of above Variance advertising, posting leto , upon filing of this partition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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City	State	रैंडराजन	Actings	emorphodologic	

circulation. Introductional Rationage County, and that the property be registed.

CERTIFICATE OF PERTINA

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Date [8/20/93

Golasso - 1209 Ridervala Rd

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 1209 Ridicruale Rd

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: indicate hardship or practical difficulty)

see attached

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee an STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: of Maryland, in and tor, the County aforesaid, personally appeared $19\underline{9.3}$, before me, a Notary Public of the State the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law

that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8-10-93

My Commission Expires:

My Comin, Exps. Sept. 9, 1996

• 94-72-A We would be unable to make reasonable use of our current kitchen, so we need to enlarge it. This hardship is peculiar to our property in that the only feasable place for an extension is the proposed area.

We have an oddshaped lote & the current position of the kitchen falls within the area closest to the selback line. This is not due to our own actions as be we did not choose location of the home

If we were able to obtain a variance, we usuld make certain that our addition is in harmony with the neighborhood.

EXAMPLE 3 – Zoning Description

print on 8-1/2" x 11" sheet.

94-72-A

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or

. *	ZONING DESCRIPTION FOR 1209 Ridervale Rd (address) Election District 8 Councilmanic District 8
Beginning	at a point on the North side of Robin hose (north, south, east or west)
(street o	which is which is
	distance of 50' East of the (number of feet) (north, south, east or west)
centerlin	e of the nearest improved intersecting street Ridervale Rd. (name of street)
which is	wide. *Being Lot # 18
Block	(number of feet of right-of-way width)

(square feet and acres) *If your property is not recorded by Plat Book and Folio Number,

then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber _____, Folio ____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft. S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

September 14, 1993

Mr. and Mrs. Michael A. Galasso 1209 Rivervale Road Towson, Maryland 21204

> RE: Case No. 94-72-A, Item No. 81 Petitioner: Michael A. Galasso, et ux Petition for Administrative Variance

Dear Mr. and Mrs. Galasso:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 20, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



O. James Lighthizer Hal Kassoff Administrator

8-26-93

Re: Baltimore County
Item No.: +8/(JFF)Development Management 111 W. Chesapeake Avenue

Dear Ms. Kehring:

Toward, Maryland 21204

Ms. Helene Kehring

Zoning Administration and

County Office Building

Room 109

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, John Contestabile, Chief Engineering Access Permits

My telephone number is ______ Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and Development Management

DATE: August 30, 1993

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 62, 71, 72, 73, 74, 76, 77, 78, 81, 82, 84, 86, 87 and 88.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL:lw

ZAC.62/PZONE/ZAC1

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

AUGUST 27, 1993

WITTER OF CASE NUMBER ASSIGNMENT

Baltimore County Government

Office of Zoning Administration

and Development Management

Michael and Cathy Galasso 1209 Ridervale Road Towson, Maryland 21204

CASE NUMBER: 34-72-A (Item 81) 1209 Ridervale Road 8th Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case, should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 5, 1993. The closing date (September 29, 1993) is the deadline for a neighbor to file a formal request for a public bearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public bearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Green of the Commissioner), the property will be reposted and notice of the hearing will appear in a Bailimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. CROERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE GROER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue

Towson, MD 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES Baltimore County Zoning Regulations require that notice be given to

the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

PHONE NUMBER: (4/0) 828-1719

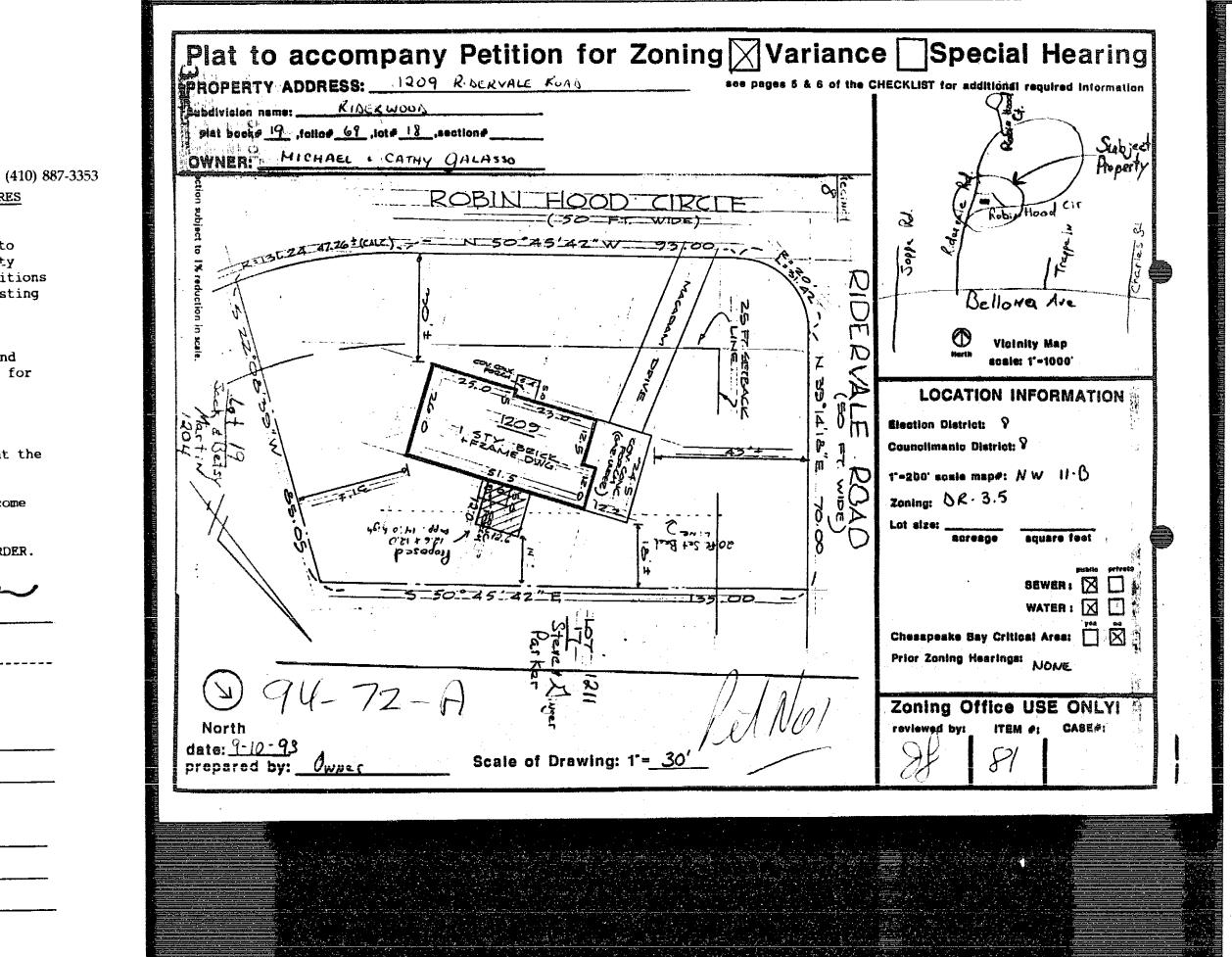
- Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

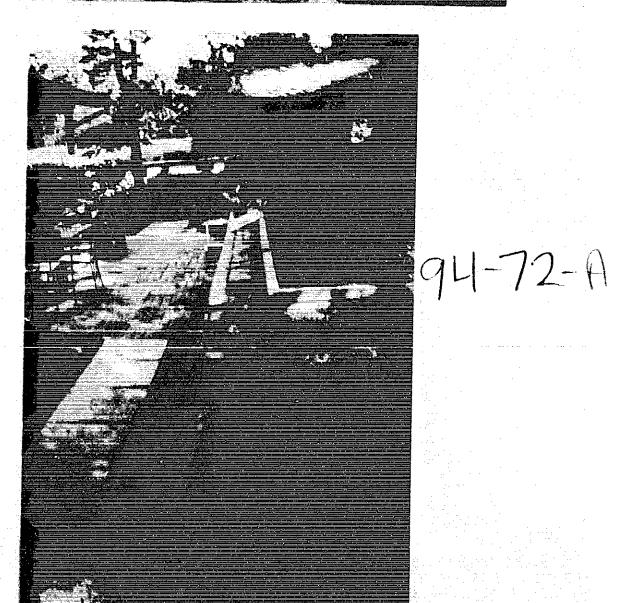
For newspaper advertising: Petitioner: Michael & Cathy Gral asso location: 1209 Ridervale Rd. PLEASE FORWARD ADVERTISING BILL TO: NAME: Michael a. Lalasso ADDRESS: 1209 Ridervale Rd Towson, Mb. 81204

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(Revised 04/09/93)









94-72-A



